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Why Should We Change Our Form of Government? By NICHOLAS MURRAY BUTLER. (New York: Charles Scribner's Sons. 1912. Pp. xiv, 159.)

The six addresses composing this small volume have been delivered upon various occasions during the past five years. The first is entitled, *Why Should We Change Our Form of Government?* This is the only one which is devoted primarily to answering the title of the book. The other five addresses, which incidentally answer the title, are: *Business and Politics*, *Politics and Business*, *The Call to Citizenship*, *Alexander Hamilton*, and *The Revolt of the Unfit*. The author sees the United States changing from a representative republic to a socialistic democracy. This he deplores. Instead of making our representatives mere mouth-pieces of their constituents, he would have them the brains. By giving power and dignity to legislators, he would attract men of brains and honor to the legislatures. History teaches him that no other form of government equals the representative republican type. He believes that principles of government were never understood by a body of men as they were understood by the framers of our federal constitution; and that a departure from the principles there embodied is not progressive but reactionary, a change to the principles which history teaches us to be false. The initiative, referendum, and recall are condemned because they "strike the heaviest possible blow at representative institutions." "The principle of the recall, when applied to the judiciary," he considers "much more than a piece of stupid folly." And even when applied to executive officers he sees no good in it. If our constitution had provided for the recall, he says, "George Washington would have been recalled at the time of the Genet episode . . . ; Abraham Lincoln would almost certainly have been recalled in the dark days of 1862 and 1863; Grover Cleveland would have been recalled by an overwhelming vote in the summer of 1893 when he was making his fight for a sound financial policy and system."

Throughout, the views of the author are extremely conservative. The Sherman anti-trust law, he holds, should not be amended but supplemented, because "it has been subjected to twenty years of the most careful . . . legal and judicial examination." "The man who attempts to amend that law will make it worse," he continues. Again, "Troubles do not arise from the size of the corporations, . . .

but they arise from individual delinquents; and we need no more

law than we now have to get at individuals who commit immoral offenses, dishonorable acts, whether in trade or out of it."

F. A. MAGRUDER.

The Underlying Principles of Modern Legislation. By W. JETHRO BROWN. (London: John Murray. 1912. Pp. 331.)

Professor Brown has prepared an essay which, in some respects, is similar in purpose to Dicey's *Law and Public Opinion in England in the Nineteenth Century*, and, impliedly at least, criticizes the analysis of that work. His title refers to underlying principles. His thesis is, however that one fundamental principle has underlain legislation in England during the last hundred years—a principle deeper than the antagonisms of parties or the differences of political schools. This single dominating influence or ideal which unconsciously rather than consciously has given unity to the laws of modern England is declared to be that of liberty. "Broadly speaking," he says, "the legislation of the Nineteenth Century may be divided into three groups of statutes according as the immediate purpose of the legislature has been to establish democratic institutions, to secure to the citizen an immunity from undue state interference, or to extend social and individual responsibility. These purposes are to some extent concurrent, but they acquire their maximum influence in the order indicated—Each of these purposes is no more than a special phase of a general movement towards liberty—that liberty is sought at one time in a form of polity, at another time in the protection of the subject from the tyranny of political institutions, and yet another time in various forms of state control." In thus predicating a single underlying principle, Professor Brown is clearly criticizing Dicey, for he says in another place: "We have to deal, not, as one eminent writer suggests, with successive and unrelated currents of opinion, but with a single movement, in the course of which there has been a progressive realization of the nature of the goal towards which the national life is slowly traveling."

Starting with the very broad definition which he gives to the concept liberty, namely, that it consists "less in the form of government or in the number of laws that control the action of the citizen, than in the extent to which the citizen is assured the means of self realization," and that, in consonance with its aims the few may be restrained in the interests of the liberty of the many, that the many may, in some cases,